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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,161	07/29/2003	Kirk S. Tecu	100111392-1	5991

22879 7590 02/23/2007  
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FORT COLLINS, CO 80527-2400

EXAMINER
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ALLISON, ANDRAE S

ART UNIT	PAPER NUMBER
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2624

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/629,161	<b>Applicant(s)</b> TECU ET AL.	
	<b>Examiner</b> Andrae S. Allison	<b>Art Unit</b> 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/12/2003; 11/15/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 11-12, 14, 16-17, 21-22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Ihara et al (US Patent No.: 6,389,182).

As to independent claim 1, Ihara discloses a method comprising: processing image data recorded on a medium (process 2D bar code on a storage medium column 1, lines 7-16); identifying intent information contained within said image data (recognize 2D bar code, column 4, lines 60-63); processing the intent information to identify a specific action associated with intent information (perform a process in accordance with the 2D barcode, column 4, lines 64-65); and initiating processing of the specific action (see column 6, lines 40-57, where a file is automatically executed when the 2D bar code is recognized).

As to independent claim 11, this claim differs from claim 1 only in that claim 10 is computer program product whereas, claim 1 is method and the limitations a computer readable medium having computer program logic recorded thereon are additively recited in the preamble. Ihara clearly teaches a computer readable medium (54, RAM,

see Fig 9) having computer program logic (e.g. 54A, electronic mail program, see Fig 9) recorded thereon (column 7, lines 19-23) are additively recited in the preamble

As to independent claim 16, all the limitations are discussion except the following "representing said document as image data and locating, within said image data, an area of said document containing intent information." Ihara clearly teaches, representing said document as image data (2D barcode printed on an object, see column 4, lines 24-25) and locating, within said image data, an area of said document containing intent information (see Fig 21, where a search on perform to locate the 2D barcode).

As to independent claim 24, Ihara discloses a data processing system comprising: the means for representing a document as image data is object 100 (see Fig 1); the means for locating, within said image data, an area of said document containing intent information is camera, 23 (see Fig 1); the means for identifying an action indicated by said intent information are 54 and 54 A, B and C (see Fig 9 ); and the means for initiating processing of said document consistent with said action 54 and 54 A, B and C (see Fig 9 ).

As to claim 2, Ihara teaches the method further comprising: receiving content information associated with the medium, wherein initiating processing further comprises performing the action using the content information (column 7, lines 1-18).

As to claim 3, Ihara teaches the method wherein processing image data further comprises: receiving the intent information embedded within the medium; and converting the image recorded on the medium into said image data representing a digital image (see column 13, lines 64-67 and column 14, lines 1-6, where an image of the 2D barcode is capture, converted to digital form and further processing is carried in accordance with the 2D barcode).

As to claim 12, Ihara teaches the computer program product wherein said code for processing image data further comprises code for identifying content and intent regions of said image data, said instruction contained within a portion of said image data contained within said intent region (note that the instruction for performing the intent information is coded into the 2D barcode, see column 6, lines 41-56).

As to claim 14, Ihara teaches the computer program product, wherein said code for processing image data further comprises code for identifying separate content and intent regions of an input medium and extracting said at least one instruction from said intent region of said input medium (note that object, 100, see Fig 1 has different parts such as the 2D bar code, and the intent information is extracted from the 2D bar code, see column 4, lines 19-44).

As to claim 17, Ihara teaches the method of wherein representing comprises

Art Unit: 2624

scanning a medium having embodied therein a visually perceptible image (101, 2D barcode, see Fig 1) of the document so as to obtain said image data.

As to claim 21, Ihara teaches the method further comprising printing an image onto a blank area of said document (column 4, lines 24-26).

As to claim 22, Ihara teaches the method wherein said locating comprises identifying a plurality of areas of said document and associating portions of said image data with said areas (note the 2D bar code is associated with an executable file, see column 6, lines 49-51).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-8, 13, 15, 18-20, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al (US Patent No.: 6,389,182) in view of Owen et al (US Patent No.: 7,106,916).

As to claim 4, Ihara does not expressly disclose the method wherein processing image data further comprises receiving user-supplied text and an icon embedded within the medium, and processing the intent information further comprises determining a type of icon located within the intent information, and initiating processing of the image comprises performing the action using information contained on the media based on the type of icon located within the intent information. Owen discloses a method for controlling scanning devices that includes wherein processing image data further comprises receiving user-supplied text and an icon embedded within the medium, and processing the intent information further comprises determining a type of icon located within the intent information, and initiating processing of the image comprises performing the action using information contained on the media based on the type of icon located within the intent information (see column 1, lines 40-63, where a document is scanned, a control image is located and the action specific by the control image is carried out).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combined the teachings of Ihara and Owen to scan a document, locate a control image, process the control image and creating an output in accordance with the control image (column 1, lines 56-65).

As to claim 5, note the discussion above, Owen teaches the method further comprising: determining a type of icon located within the intent information, wherein initiating processing of the image is responsive to said type of icon (note that the

Art Unit: 2624

method of Owen can determine the type of control image and carry out that process, see column 2, lines 33-39).

As to claim 6, neither Ihara nor Owen discloses, the method wherein said determining identifies said type of icon as a print icon, wherein initiating processing of the image comprises printing a content portion of said image. However, it would have been obvious to determined identifies said type of icon as a print icon, wherein initiating processing of the image comprises printing a content portion of said image such that a hard copy of the processed document could be obtain if necessary.

As to claim 7, note the discussion above, Owen teaches the method wherein processing the intent information comprises: selecting at lest one specific action from a plurality of different actions (e.g. faxing or coping, see column 2, lines 37-39).

As to claim 8, note the discussion above, Owen teaches the method of claim 7 wherein the plurality of different actions is selected from the group consisting of printing, faxing and emailing (see column 2, lines 33-39).

As to claim 13, note the discussion above, Owen teaches the computer program product further comprising code identifying the instruction from an icon located on the image data (locate control image and decode instructions, see Fig 1).



As to claim 15, note the discussion above, Owen teaches the computer program product further comprising a media profile that associates a media with a particular software application to be used when a media profile icon is present in said image data (note that the decoding instructions are dependent on the control image is present on the document, see column 2, lines 55-65).

As to claim 18, note the discussion of claim 5 above.

As to claim 19, note the discussion above, Owen teaches the method wherein locating comprises recognizing, within said image data images of (i) a symbol designating said action and (ii) text present within a text area, said text comprising information associated with said action (note that a search has to be performed to locate the control image, therefore it is obvious that the document contains other information to be faxed or copied or emailed, see column 1, lines 56-65).

As to claim 20, note the discussion of claim 13 above.

As to claim 25, note the discussion of claim 19 above.

5. Claims 9-10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al (US Patent No.: 6,389,182) in view of Johnson et al (US Patent No.: 5,991,469).

As to claim 9, Ihara does not expressly disclose the method wherein said processing image data further comprises: identifying said medium; and initiating software that requests information from a user, wherein the information is additional information to be placed upon said medium. Johnson discloses a document processing method that includes wherein said processing image data further comprises: identifying said medium (see column 5, lines 55-65, where a form interpreter read a document to look for specific data); and initiating software that requests information from a user, wherein the information is additional information to be placed upon said medium (see column 7, lines 55-67, where a document that is scanned includes user modifiable fields).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to added document processing method of Johnson to the image processing method of Owen to scan a document, locate the user moldable regions and creating an appropriate output, such as printing.

As to claim 10, note the discussion above, Johnson teaches the method wherein said identifying the medium comprises: searching media profiles stored in a secondary storage device (note that the form interpreter search a document for data to determine

Art Unit: 2624

the type of form, see column 5, lines 55-65).

As to claim 23, note the dissuasion above, Johnson teaches the method wherein said document comprises a content area separate (see Fig 1, where there are numerous content are separator) from said area of said document containing said intent information, said locating comprising a step of recognizing a predetermined region of said document.

### ***Conclusion***

The prior art made part of the record and not relied upon is considered pertinent to applicant's disclosure.

Bronnenberg et al (US Patent No.: 5,386,298) is cited to teach an automated form handling system.

Berard et al (US Patent No.: 6,906,817) is cited to teach a network system for direction the transmission of facsimiles.

Kurokawa et al (US Patent No.: 5,887,088) is cited to teach an inputting device and inputting method for information processing system.

Ho et al (US Patent No.: 6,061,502) is cited to teach a communication device which transmits and receive information with both facsimile and electronic mail communication protocols.

### ***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrae S. Allison whose telephone number is (571) 270-1052. The examiner can normally be reached on Monday-Friday, 8:00 am - 5:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrae Allison

February 15, 2007

A.A.



JOSEPH MANCUSO  
SUPERVISORY PATENT EXAMINER